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Attorney for Defendant
 U.S. SMOKELESS TOBACCO COMPANY

F I L E D
 Clerk of the Superior Court
 Clerk of the District Court

SEP 13 2005
 SEP 13 2005

By: K SANDOVAL, Deputy
 By: J. J. J. J., Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF SAN DIEGO

PEOPLE OF THE STATE OF CALIFORNIA,
ex rel. BILL LOCKYER, Attorney General of
 the State of California,

Plaintiff,

v.

U.S. SMOKELESS TOBACCO COMPANY,
 a Delaware corporation,

Defendant.

GENERAL CIVIL

Case No.: JCCP 4041

STIPULATION FOR EXTENSION OF
 TIME AND [PROPOSED] ORDER

Dept: 71

Judge: Hon. Ronald S. Prager

WHEREAS, Plaintiff the People of the State of California, ex rel. Bill Lockyer, the Attorney General of the State of California, provided defense counsel with a copy of the initial Complaint filed in this action on July 27, 2005 and served Defendant U.S. Smokeless Tobacco Company on July 28, 2005;

WHEREAS, Plaintiff subsequently amended the Complaint, providing defense counsel with a copy of the First Amended Complaint on August 11, 2005 and serving Defendant on August 15, 2005;

WHEREAS, due to other professional obligations and scheduling demands, defense counsel has requested, and Plaintiff's counsel has agreed to provide, a thirty (30) day extension of time to and including October 14, 2005 to answer, move, or otherwise respond with respect to the First Amended Complaint, which response would otherwise have been due September 14, 2005;

STIPULATION FOR EXTENSION OF TIME AND [PROPOSED] ORDER

ORIGINAL

1 NOW THEREFORE, IT IS HEREBY STIPULATED by the parties, through their
2 respective counsel and subject to Court approval, that Defendant U.S. Smokeless Tobacco
3 Company shall have to and including October 14, 2005, to answer, move, or otherwise respond
4 with respect to Plaintiff's First Amended Complaint.

5 SO STIPULATED.

6
7 DATED: September 13, 2005

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

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9 By: 

JOSE R. ALLEN

Attorney for Defendant

U.S. SMOKELESS TOBACCO COMPANY

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12
13 DATED: September 13, 2005

THE PEOPLE OF THE STATE OF CALIFORNIA

14
15 By: 

MICHELLE HICKERSON

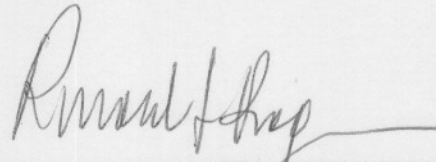
Attorneys for Plaintiff

16 THE PEOPLE OF THE STATE OF CALIFORNIA,
17 ex rel. BILL LOCKYER, the Attorney General of the
18 State of California
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[PROPOSED] ORDER

Good cause appearing, and based on the stipulation of the parties filed herewith, it is ORDERED that Defendant U.S. Smokeless Tobacco Company shall have to and including October 14, 2005, to answer, move, or otherwise respond with respect to Plaintiff's First Amended Complaint.

DATED: September 14, 2005



HON. RONALD S. PRAGER

PROOF OF SERVICE

The undersigned certifies and declares as follows:

I, Shannon D. Jennings, am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action. My business address is Four Embarcadero Center, Suite 3800, San Francisco, California 94111.

On September 13, 2005, I served the following document(s) described as

STIPULATION FOR EXTENSION OF TIME AND [PROPOSED] ORDER.

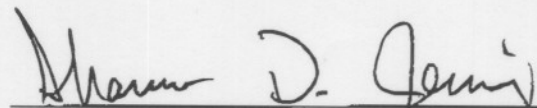
on interested parties in this action by placing true copies thereon enclosed in sealed envelopes addressed as follows:

SUPERIOR COURT OF THE STATE OF CALIFORNIA

☐ **BY FACSIMILE** - I am readily familiar with the firm's practice of facsimile transmission. On this date, I served said document by facsimile transmission machine whose telephone number is (415) 984-2698, on interested parties in this action as follows:

I declare under the penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on September 13, 2005, at San Diego, California.


Shannon D. Jennings